



U.S. Department of Justice

United States Attorney  
Southern District of New York

86 Chambers Street  
New York, New York 10007

February 1, 2024

**BY ECF**

Honorable Lewis A. Kaplan  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St.  
New York, NY 10007-1312

Re: *MAZON: A Jewish Response to Hunger, et al., v. U.S. Dep't of Health and Human Services, et al.*, 21 Civ. 475 (LAK)

Dear Judge Kaplan:

This Office represents the defendant federal agencies and government officials sued in their official capacities (together, the "government") in this action. I write jointly with the plaintiffs' counsel to provide a status update and to respectfully request an extension of the existing stay of all proceedings, which currently runs through January 31, 2024.<sup>1</sup>

As the Court may recall, this matter is stayed in consideration of the ongoing rulemaking process regarding the rule challenged in this litigation. The government previously received public comment on its notice of proposed rulemaking. *See* Partnerships With Faith-Based and Neighborhood Organizations, 88 Fed. Reg. 2395 (Jan. 13, 2023), available at <https://www.federalregister.gov/documents/2023/01/13/2022-28376/partnerships-with-faith-based-and-neighborhood-organizations>. Since the stay was last extended, a draft final action has been submitted to the Office of Information and Regulatory Affairs within the White House Office of Management and Budget. That draft final action is now pending regulatory review pursuant to Executive Order No. 12,866, 3 C.F.R. 638 (1994), as indicated at <https://www.reginfo.gov/public/do/eoDetails?rrid=353012>.

In light of these developments, the parties respectfully request that the current stay of all proceedings, *see* ECF Nos. 72, 76, 78, 80, 84, be extended by two approximately months—from January 31, 2024, through and including April 1, 2024. The parties further propose that they file a status report by the same date regarding next steps in the litigation.

<sup>1</sup> Due to an oversight of the undersigned, I filed a different letter yesterday, January 31, that was intended for another matter. I am re-filing the correct letter this morning after a call from chambers. I sincerely apologize for the error.

*Ernesto*  
*[Signature]*  
2/2/24

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We thank the Court for its attention to this matter.

*Respectfully submitted,*

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Southern District of New York

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